

PROB 12C
(6/16)

Report Date: January 5, 2023

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jan 05, 2023**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jerry Lee Everett, III

Case Number: 0980 2:16CR00151-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: February 20, 2018

Original Offense: Possession with Intent to Distribute 50 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii)

Original Sentence: Prison - 66 Months; Type of Supervision: Supervised Release
TSR - 60 MonthsRevocation Sentence: Prison - 8 Months;
(April 20, 2022) TSR - 52 Months

Asst. U.S. Attorney: Patrick J. Cashman Date Supervision Commenced: November 14, 2022

Defense Attorney: Payton B. Martinez Date Supervision Expires: March 13, 2027

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 12/19/2022.

On November 16, 2022, Mr. Jerry Everett, III, signed his conditions relative to case number 2:16CR00151-TOR-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
2	<p><u>Special Condition #7:</u> You must participate in an inpatient substance abuse treatment program and any recommended aftercare. You must follow the rules and regulations of the treatment program. The probation officer will supervise your participation in the program (provider, location, modality, intensity, etc.). You must pay the costs of the program if financially able.</p> <p><u>Supporting Evidence:</u> Mr. Everett is alleged to have violated special condition number 7 by refusing inpatient placement with the Spokane Regional Stabilization Center on January 1, 2023, against the advice of staff and without contacting the undersigned officer.</p>

Prob12C

Re: Everett, III, Jerry Lee

January 5, 2023

Page 2

Specifically, on December 29, 2022, Mr. Everett entered into detox services with the Spokane Regional Stabilization Center as arranged for him by his primary chemical dependency counselor. Detox services were arranged for Mr. Everett to ensure his sobriety and safety while waiting for access to inpatient treatment services. Mr. Everett was previously advised by the undersigned officer as to this objective and desired outcome.

On January 1, 2023, the undersigned officer received a text message from Mr. Everett, following his departure from the program, indicating that his insurance only covered 3 days of detox services, but he could also complete a 30-day term of inpatient services. On January 2, 2023, Mr. Everett was advised by the undersigned officer via text messaging that he would be required to complete a 30-day term of inpatient services as approved by the Court and as assessed by his current treatment provider, to which he stated his understanding.

On January 3, 2023, the undersigned officer received clarification from both the client's primary treatment provider and the Spokane Regional Stabilization Center that the client had in fact been offered access to cooccurring inpatient services with the provider beginning January 1, 2023, but he instead refused services and requested termination, indicating he would rather complete inpatient services elsewhere.

On January 3, 2023, Mr. Everett was contacted telephonically by the undersigned officer who confirmed his termination of services, indicating he was having trouble accessing his mental health medication while within the program and he felt that the staff were disrespectful. Mr. Everett clarified he would complete inpatient services as required, but he requested access to some other program. Mr. Everett indicated he had attempted to contact the undersigned officer prior to his departure from the program, but he admitted he did not leave a voice mail.

To Mr. Everett's credit and good fortune, on that same date, Mr. Everett's primary chemical dependency counselor was able to secure inpatient placement for him at Pioneer Center East as of January 4, 2023. On January 5, 2023, the undersigned officer was able to verify that Mr. Everett in fact reported as required on January 4, 2023, and remained engaged in services.

The U.S. Probation Office respectfully recommends the Court incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 5, 2023

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

Prob12C

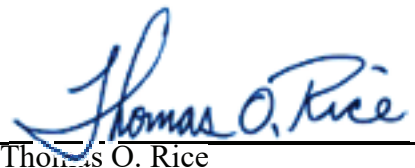
Re: Everett, III, Jerry Lee

January 5, 2023

Page 3

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

January 5, 2023

Date